

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

NATIONAL WILDLIFE REGUGE ASSOCIATION,
DRIFTLESS AREA LAND CONSERVANCY, WISCONSIN
WILDLIFE FEDERATION, and DEFENDERS OF WILDLIFE

Plaintiffs,

v.

21-cv-096-wmc & 21-cv-306-wmc,
Consolidated

RURAL UTILITIES SERVICE,
CHRISTOPHER MCLEAN, Acting Administrator,
Rural Utilities Service,
UNITED STATES FISH AND WILDLIFE SERVICE,
CHARLES WOOLEY, Midwest Regional Director, and
SABRINA CHANDLER, Manager, Upper Mississippi River
National Wildlife and Fish Refuge,
UNITED STATES ARMY CORPS OF ENGINEERS,
LIEUTENANT GENERAL SCOTT A. SPELLMON, Chief of
Engineers and Commanding General, U.S. Army Corps of
Engineers, COLONEL STEVEN SATTINGER, Commander
And District Engineer, Rock Island District, U.S. Army Corps of
Engineers, and COLONEL KARL JANSEN, Commander and
District Engineer, St. Paul District, U.S. Army Corps of Engineers,

Defendants,

and

AMERICAN TRANSMISSION COMPANY, LLC,
DAIRYLAND POWER COOPERATIVE, & ITC
MIDWEST LLC,

Intervenor-Defendants.

AMENDED FINAL JUDGMENT


IT IS ORDERED AND ADJUDGED that

In Case No. 21-cv-96, the court enters judgment in favor of plaintiffs and against federal defendants and intervenor-defendants as follows:

1. The Record of Decision issued by the Rural Utilities Service effective January 16, 2020, is VACATED AND REMANDED to the Rural Utilities Service for further proceedings consistent with the court's January 14, 2022, Opinion and Order on summary judgment (dkt. #175).
2. The court DECLARES that the compatibility determination precludes the CHC transmission line as currently proposed from crossing the refuge by right of way or land transfer.
3. The court VACATES AND REMANDS the defendants' Environmental Impact Statement and Records of Decision consistent with the court's January 14, 2022, Opinion and Order on summary judgment (dkt. #175).

In Case No. 21-cv-306, judgment is entered in favor of federal defendants and intervenor-defendants and against plaintiffs on Counts 1, 2, 3, and 5, which are DISMISSED WITH PREJUDICE. Judgment is entered in favor of plaintiffs and against federal defendants and intervenor-defendants on Count 4 as set forth above.

Approved as to form this 9th day of March, 2022.



William M. Conley, District Judge



Peter Oppeneer, Clerk of Court

3/9/2022
Date